

Exhibit 4A

Steamy prisons, cool pig barns

Austin American-Statesman (Texas)
August 17, 2013 Saturday, Final Edition

Copyright 2013 The Austin American-Statesman All Rights Reserved

Section: MAIN; Pg. A1

Length: 677 words

Byline: Mike Ward American-Statesman Staff

Body

At a time when Texas convicts and guards complain they are sweltering in prisons without air conditioning, the prison system is getting six new pig barns with a "climate-controlled environment" to ensure the hogs don't overheat.

Prison officials Friday defended the construction of the modular pig barns that feature water misters and large fans that can reduce temperatures by 20 degrees or more. They also have heating in the winter.

Art's Way Scientific, a Monona, Iowa-based firm that's building the \$750,000 worth of barns, touts them on its website as featuring "continuous air movement through controlled exhaust fans," a ventilation system that continually circulates air with exhaust fans and systems in which "outside air is preheated in winter and cooled in the summer."

Bryan Collier, deputy director of the Texas Department of Criminal Justice, said the barns "are consistent with the industry standard for swine operations."

"This isn't air conditioning," he said. "It's a climate-controlled environment for our swine breeder operation."

The agency uses convict labor to raise pigs for consumption inside prisons and for sale.

Asked about comparisons to the overheated conditions inside many of Texas' 111 state prisons - corrections officers have complained that the heat regularly tops 120 degrees in some spots, even with fans - Collier said, "That's ridiculous and outrageous. ... You can't compare the two."

Scott Medlock, an Austin civil rights attorney who is suing the prison system over several heat-related deaths, and Lance Lowry, president of a Huntsville local of a union that represents correctional officers, disagreed.

"It is outrageous that TDCJ would prioritize the safety of pigs raised for slaughter over the lives of human beings," said Medlock, with the Texas Civil Rights Project. "TDCJ has literally made the decision that protecting its bacon is more important than protecting human lives."

Lowry called for Texas prisons to get the same "climate-controlled environment" as the hog barns.

"Right now, there's just fans blowing around very hot air - if there's fans at all," he said. "There's no misters. There's no exhaust air systems. It's incredibly hot and dangerous, especially when you consider the officers and inmates who are on heat-sensitive medication."

"There's no constitutional right to air conditioning in prisons, but the state of Texas can certainly do better than it is right now," he added.

Collier said the new barns are replacing older buildings that also had misters. They house breeding sows for a limited time while they deliver their piglets "and then they all go back outdoors."

But while they're there, the builder's website notes, "air quality is key to a successful swine program. Excess heat or cold will cause stress and can impact health."

In the past six years, sweltering heat in Texas prisons has been blamed for at least 14 deaths, and at least five lawsuits are pending against prison officials, including one involving the Aug. 3, 2012, death of drunken-driving offender Rodney Adams at the Gurney Unit near Palestine, in East Texas.

His body temperature was 109.9 when he was found. As in many of the other deaths, Adams was on psychotropic medications at the time of his death that made him more sensitive to heat, according to Medlock.

"Most inmate living areas in (Texas) prisons are not 'climate controlled,'" Medlock said. "The indoor heat index can regularly reach 130 degrees - temperatures the National Oceanic and Atmospheric Administration advises are 'extremely dangerous.' TDCJ's own policies recognize such extreme heat makes heat stroke 'imminent.'"

Despite the complaints, prison officials have insisted the prisons are safe and are cooled as much as possible without air-conditioning them - a move that could cost tens of millions of dollars and would be sure to spur public debate.

Collier insisted there's no correlation between the pig barns and prisons: "Those are two very different subjects. One is not related to the other."

Contact Mike Ward at 512-474-2791. Twitter: @mikestatesman